

## Department of Planning and Environment

Our ref: DOC22/226997

Your Ref: SSD-29999239

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Department of Planning and Environment  
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12 April 2022

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### Subject: Request for Advice: Rooty Hill Materials Recycling Facility (SSD-29999239)

Dear Mr Zhang

Thank you for your email received 15 March 2022 seeking comments on the above project. Environment and Heritage Group (EHG) has reviewed the environmental impact statement for this project and provides the following comments.

#### Biodiversity

While aspects of the Biodiversity Development Assessment Report (Final V2), dated 21st February 2022 (BDAR) have been undertaken in accordance with the Biodiversity Assessment Method (BAM), there are technical inadequacies, including an underestimation of impacts in the BDAR. The following aspects must be addressed:

- This review has been undertaken without access to GIS files, as these have not been provided to EHG.
- The BAM credit report was created 3 months prior to the report certification. It is unclear if the BDAR has been submitted within 2 weeks of the application submission.
- The identification of the subject land and the footprint of the impacts is unclear. The BDAR mapping identifies only half of the tree canopies along the boundary of the subject land to be impacted by the project. Where the remaining half of the tree canopy is located on adjacent land outside of the lot boundary as viewed on aerial photography. Given the *Arboricultural Impact Assessment*, dated 24 December 2021, recommends the removal of trees 6-42, the whole of the trees are to be affected and not just half of a tree canopy.

The correct maps have been provided in accordance with the BAM, however, EHG is concerned the proposed cut and fill will impact the root systems of the trees on adjoining land and therefore the losses will be greater than the impacts that have been estimated on the subject land.

An arborist will need to inform what the level of impacts will be. Given the potential impact on neighbouring trees, tree protection measures should form part of the avoid and minimise measures.

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- The list of Ecosystem Credits Species (ECS) does not include BioNet records for species within 5km of the subject land. The following species are required to be included in the assessment:
  - Green and Golden Bell Frog
  - Cumberland Plain Land Snail
  - Greater Broad-nosed Bat
  - Southern Myotis
  - Eastern False Pipistrelle
  - Superb Parrot
  - Eastern Ground Parrot
  - Bush Stone-curlew.
- The list of Species Credit Species (SCS) does not include BioNet records for species within 5km of the subject land. Any dual credit species are to be included from the ECS list. There are hollow-bearing trees present on the subject land which is to be taken into consideration for SCS and their breeding habitats. The following flora are required to be included in the assessment:
  - *Marsdenia viridiflora* subsp. *viridiflora*
  - *Dillwynia tenuifolia*
  - *Pultenaea parviflora*
  - *Acacia pubescens*
  - *Pilularia novae-hollandiae*
  - *Eucalyptus nicholii*
  - *Pterostylis saxicola*
  - *Grevillea juniperina* subsp. *juniperina*
  - *Pimelea curviflora* var. *curviflora*
  - *Pimelea spicata*
- Habitat components for ECS and SCS have not been reported in Tables 9 and 10 of the BDAR. Habitat requirements and justification for the removal or inclusion of species is to be provided in tabulated form. The justification for the removal of some SCS is provided in written text outside of Table 10. However, as mentioned above, several species recorded within 5km of the subject site have not been discussed. This aspect of the assessment must be reconsidered and updated with the additional species and habitat requirements included within Table 10.
- Small areas of Cumberland Plain Woodland, which is at risk of serious and irreversible impacts (SAIL), have been identified on the subject land. Given the limited extent of impacts and the industrial nature of the local area, the impact is not likely to constitute SAIL. However, vegetation mapping and the extent of impacts needs to be updated in accordance with impacts from cut and fill to TPZs of trees to be removed in accordance with the *Arboricultural Impact Assessment*.

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- Ecosystem credits have been provided in the credit report. However, it cannot be confirmed that the reported credits are adequate or that SCS should not be included given the above inadequacies. Credit reports are to be revised after the above inadequacies are rectified to ensure the correct number of ecosystem and species credits are reported.
- The BDAR is to include all outputs from the BAM-C which indicate classes of credits to be offset.
- The BDAR outlines mitigation and management measures to be undertaken. EHG supports the mitigation measures from the BDAR and if the application is approved, recommends these measures are written into the conditions of consent.

### Flood

EHG notes, with reference to the City of Blacktown Council's draft flood studies for Eastern Creek mainstream flooding and overland flooding, that the subject site is not impacted by Eastern Creek flooding, but a small area in the south eastern part of the site is inundated with shallow depth by overland flow in the PMF event. While a portion of the subject site is mapped as being impacted, this is small portion of the site and would not require the preparation of a flood impact assessment.

If you have any queries please contact David Way, Senior Conservation Officer via [David.Way@planning.nsw.gov.au](mailto:David.Way@planning.nsw.gov.au) or 02 8275 1324.

Yours sincerely,

A handwritten signature in black ink that reads "S. Harrison".

Susan Harrison

Senior Teams Leader  
Greater Sydney Branch  
Biodiversity and Conservation